

**BOARD OF NURSING
MEETING MINUTES
DECEMBER 8, 2016**

PRESENT: Paul Abegglen, Peter Kallio, Jodi Johnson, Maria Joseph, Sheryl Krause, Lillian Nolan, Luann Skarlupka, Cheryl Streeter

STAFF: Dan Williams, Executive Director; Nilajah Hardin, Bureau Assistant; and other DSPS Staff

CALL TO ORDER

Sheryl Krause, Vice Chair, called the meeting to order at 8:00 a.m. A quorum of eight (8) members was confirmed.

ADOPTION OF THE AGENDA

Amendments to the Agenda

- *Added under item J: 3) Attorney Sandy Nowak, a. Proposed Stipulation, Final Decision and Order, 1. 12 NUR 438 (S.M.M.) Pages 377-385*
- *Added under item B: Clearinghouse Report on CR 16-071*
- *Corrected under item E.1: NCLE to NCLEX*

MOTION: Paul Abegglen moved, seconded by Maria Joseph, to adopt the agenda as amended. Motion carried unanimously.

**8:00 A.M.: PUBLIC HEARING ON CLEARINGHOUSE RULE 16-071 RELATING TO
EXAMINING COUNCILS**

MOTION: Peter Kallio moved, seconded by Luann Skarlupka, to reject Clearinghouse comment number(s) 4.a and to accept all remaining Clearinghouse comments for Clearinghouse Rule 16-071 relating to Examining Councils. Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Paul Abegglen, to authorize Sheryl Krause to approve the Legislative Report and Draft for Clearinghouse Rule 16-071 relating to examining councils for submission to the Governor's Office and Legislature. Motion carried unanimously.

APPROVAL OF MINUTES OF NOVEMBER 10, 2016

Amendments to the Minutes

- *Page 3: Correct and to closed to read and to close*

MOTION: Peter Kallio moved, seconded by Luann Skarlupka, to approve the minutes of November 10, 2016 as amended. Motion carried unanimously.

ADMINISTRATIVE MATTERS

- MOTION:** Peter Kallio moved, seconded by Maria Joseph, to appoint Luann Skarlupka to the Board of Nursing Controlled Substances Committee. Motion carried unanimously.
- MOTION:** Lillian Nolan moved, seconded by Jodi Johnson, to appoint Peter Kallio to the Controlled Substances Board as per Wis. Stat.s §15.405(5g). Motion carried unanimously.
- MOTION:** Cheryl Streeter moved, seconded by Maria Joseph, to thank Jeff Miller for his dedicated service to the Board of Nursing and the State of Wisconsin. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

Analysis of NCLEX Pass Rates and Plan of Remediation

Herzing University – Brookfield and Kenosha

- MOTION:** Peter Kallio moved, seconded by Maria Joseph, to approve the plan to meet the NCLEX first time pass rate standards of Herzing University – Brookfield and Kenosha. Motion carried unanimously.
- MOTION:** Peter Kallio moved, seconded by Luann Skarlupka, to acknowledge and thank Deborah Ziebarth and Pat Edwards from Herzing University – Brookfield and Kenosha for their appearance before the Board. Motion carried unanimously.

PUBLIC COMMENTS

- MOTION:** Lillian Nolan moved, seconded by Luann Skarlupka, to designate Peter Kallio to represent the Board of Nursing for Wisconsin Coalition for Prescription Drug Abuse Reduction matters. Motion carried unanimously.

CLOSED SESSION

MOTION: Cheryl Streeter moved, seconded by Jodi Johnson, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85 (1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (ss.19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and, to confer with legal counsel (s.19.85(1)(g), Stats.). Sheryl Krause, Vice Chair, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Paul Abegglen-yes; Jodi Johnson-yes; Maria Joseph-yes; Peter Kallio-yes; Sheryl Krause-yes; Lillian Nolan-yes; Luann Skarlupka-yes; and Cheryl Streeter-yes. Motion carried unanimously.

At this time, all external communication contacts will be terminated for purposes of going into Closed Session.

The Board convened into Closed Session at 8:57 a.m.

RECONVENE TO OPEN SESSION

MOTION: Paul Abegglen moved, seconded by Peter Kallio, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 11:51 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Paul Abegglen moved, seconded by Cheryl Streeter, to affirm all motions made in closed session. Motion carried unanimously.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Attorney Amanda Florek

Administrative Warnings

MOTION: Paul Abegglen moved, seconded by Cheryl Streeter, to issue an Administrative Warning in the following matters:

1. 15 NUR 601 (E.H.J.)
2. 15 NUR 601 (S.J.M.)
3. 16 NUR 017 (K.R.M.)

Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

MOTION: Jodi Johnson moved, seconded by Peter Kallio, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 15 NUR 321 (A.R.Z.)
2. 15 NUR 578 (L.L.F.)
3. 15 NUR 593 (R.A.J.)
4. 15 NUR 653 (D.J.A.)
5. 15 NUR 671 (A.T.P.)
6. 16 NUR 465 (A.M.G.)

Motion carried unanimously.

14 NUR 383 – L.C.H.

MOTION: Jodi Johnson moved, seconded by Luann Skarlupka, to reject the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Lisa Hofschulz, R.N., DLSC Case No. 14 NUR 383. Motion carried unanimously.

DLSC Attorney Kim Kluck

Administrative Warning

16 NUR 203 – M.L.S.

MOTION: Paul Abegglen moved, seconded by Cheryl Streeter, to issue an Administrative Warning in the matter of 16 NUR 203 (M.L.S.) Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

MOTION: Paul Abegglen moved, seconded by Peter Kallio, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 15 NUR 415 (L.A.B.)
2. 15 NUR 557 (K.R.)
3. 15 NUR 670 (G.D.T.)
4. 16 NUR 149 (S.L.R.)
5. 16 NUR 390 (C.L.S.)
6. 16 NUR 407 (S.R.C.)

Motion carried unanimously.

DLSC Attorney Sandy Nowak

12 NUR 438 – Stephanie McMillen, R.N.

MOTION: Paul Abegglen moved, seconded by Peter Kallio, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Stephanie McMillen, R.N., DLSC Case No. 12 NUR 438. Motion carried unanimously.

Case Closures

MOTION: Peter Kallio moved, seconded by Lillian Nolan, to close the DLSC cases for the reasons outlined below:

1. 15 NUR 673 – Prosecutorial Discretion (P6)
2. 16 NUR 187 (C.S.B.) – Insufficient Evidence
3. 16 NUR 237 – Prosecutorial Discretion (P3)

Motion carried unanimously.

Monitoring

Amanda Addison, R.N., A.P.N.P. – Requesting Termination of Suspension

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to grant the request to terminate the suspension of Amanda Addison, R.N., A.P.N.P. and deny the request for full licensure. **Reason for Denial:** Pursuant to the terms of the ORDER 004904 dated 09/08/2016. The Board modifies ORDER 004904 to grant a limited license with terms as recommended in the fitness to practice evaluation. Motion carried unanimously.

MOTION: Paul Abegglen moved, seconded by Peter Kallio, to designate the Monitoring Liaison to approve the terms of the limited license to be issued to Amanda Addison, R.N., A.P.N.P. Motion carried unanimously.

Tammy Finley, R.N. – Requesting Full Licensure

MOTION: Paul Abegglen moved, seconded by Luann Skarlupka, to deny the request of Tammy Finley, R.N. for full licensure. **Reason for Denial:** Failure to demonstrate continuous and successful compliance. Respondent needs to fully comply with the complete terms and conditions of the original Board Order (02/12/2015). Motion carried unanimously.

Tamera Pickhard, R.N. – Requesting Full Licensure

MOTION: Peter Kallio moved, seconded by Lillian Nolan, to deny the request of Tamera Pickhard, R.N. for full licensure. **Reason for Denial:** The Board modifies the original Board Order (07/10/2014) to require one year of satisfactory quarterly work reports while working in a role requiring R.N. licensure. Motion carried unanimously.

Joan Schiefelbein, R.N. – Request to Surrender License

MOTION: Peter Kallio moved, seconded by Cheryl Streeter, to grant the request of Joan Schiefelbein, R.N. to surrender license. Motion carried unanimously.

Scott Strube, R.N. – Requesting Several Modifications

MOTION: Peter Kallio moved, seconded by Lillian Nolan, to grant the request of Scott Strube, R.N. for access to controlled substances and reduction in AA/NA meetings to one meeting per week and deny all other requests. **Reason for Denial:** Respondent needs to practice nursing under the conditions of the modified Board Order before the Board will consider amending other requirements. Motion carried unanimously.

(Jodi Johnson was excused from the meeting at 11:44 a.m.)

Tiffany Terry, R.N. – Requesting Full Licensure

MOTION: Cheryl Streeter moved, seconded by Peter Kallio, to grant the request of Tiffany Terry, R.N., for full licensure. Motion carried unanimously.

Laura Wood, R.N. – Requesting Full Licensure

MOTION: Peter Kallio moved, seconded by Cheryl Streeter, to grant the request of Laura Wood, R.N. for full licensure. Motion carried unanimously.

CREDENTIALING MATTERS

Nancy Monfiston – Licensed Practical Nurse Application

MOTION: Luann Skarlupka moved, seconded by Cheryl Streeter, to deny the request for permission to take the NCLEX exam of Nancy Monfiston. **Reason for Denial:** Wis. Stat. § 441.07(1g)(f) Wis. Admin. Code s. N 2.12 (3)(b). Motion carried unanimously.

BOARD STRATEGIC PLANNING AND ITS MISSION, VISION, AND VALUES

MOTION: Lillian Nolan moved, seconded by Luann Skarlupka, to remind DLSC staff of the following motions made earlier this year:

MOTION: Cheryl Streeter moved, seconded by Peter Kallio, to acknowledge receipt of the 2015 Division of Legal Services and Compliance (DLSC) Statistics Report and request the next annual report by March 1, 2017. Motion carried unanimously.

MOTION: Peter Kallio moved, seconded by Jodi Johnson, to request DSPS staff include in the 2016 Division of Legal Services and Compliance (DLSC) Statistics Report a five year statistical summary of all categories included on the report. Motion carried unanimously.
Motion carried unanimously.

ADJOURNMENT

MOTION: Peter Kallio moved, seconded by Maria Joseph, to adjourn the meeting.
Motion carried unanimously.

The meeting adjourned at 12:15 p.m.